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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,941	05/20/2006	Martin Wennberg	502.1256USN	9414

33369 7590 11/12/2009  
FASTH LAW OFFICES (ROLF FASTH)  
26 PINECREST PLAZA, SUITE 2  
SOUTHERN PINES, NC 28387-4301

EXAMINER
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PHAM, TIMOTHY X

ART UNIT	PAPER NUMBER
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2617

NOTIFICATION DATE	DELIVERY MODE
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11/12/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/595,941	<b>Applicant(s)</b> WENNBERG ET AL.	
	<b>Examiner</b> TIMOTHY PHAM	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Terminal Disclaimer***

2. The terminal disclaimer filed on 09/11/2009 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The terminal disclaimer has been recorded; therefore, the double patenting rejection has been withdrawn.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5, 8, 14-16, 20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahvenainen (US Patent No. 6,148,192) in view of Cardina et al. (hereinafter "Cardiana"; US Patent No. 7,474,894).

Regarding claims 1 and 14, Ahvenainen discloses a method and a mobile telecommunication network for detection of device information the network comprising a mobile station with a terminal part and with a module for device information and an application in the module, the network further comprising a detector connected to a repository for storing device information, the method comprising:

switching on the terminal part of the mobile station to connect the mobile station to the network (Fig. 1, reference 101; col. 5, lines 59-62; col. 8, line 1-4; e.g., When the terminal equipment is switched on 101, the equipment identity and the subscriber equipment identity stored in the card are checked 102),

the application in the module of the mobile station detecting device information of the mobile station (col. 3, lines 5-10; 15-20; col. 6, lines 1-5, e.g., checks the validity of the terminal equipment in a suitable manner, for example, by verifying the access right of the subscriber equipment),

the application in the module of the mobile station comparing the detected device information to device information previously stored in the module of the mobile station (Fig. 1, reference 102; col. 4, lines 3-10, 25-31; col. 5, lines 6-10; col. 8, lines 1-6; col. 10, lines 3-12),

the application in the module of the mobile station sending the detected device information when the detected device information does not correspond to the device information previously stored in the module (Fig. 1, references 107 and 109; Fig. 2, references 207 and 209; col. 8, lines 30; col. 10, lines 34-42, e.g., a subscriber equipment in a cellular network stores the identity of the subscriber whose card was last used in the subscriber concerned),

the detector updating the network repository with the detected device information (Fig 2, reference 209; col. 8, lines 33-40).

Ahvenainen fails to specifically disclose sending the detected device information to the detector to be stored in the network repository and the detector obtaining updated information

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from the network repository associated with the detected device information and sending the updated information to the module to update the module with the updated information.

However, Cardiana discloses sending the detected device information to the detector to be stored in the network repository (col. 3, line 62 through col. 4, line 4) and the detector obtaining updated information from the network repository associated with the detected device information (col. 4, lines 12-18, 61-65; col. 6, lines 55-61) and sending the updated information to the module to update the module with the updated information (col. 4, lines 12-18, 61-65; col. 6, lines 55-61).

Therefore, taking the teachings of Ahvenainen in combination of Cardiana as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to send the detected device information to the detector to be stored in the network repository and the detector obtaining updated information from the network repository associated with the detected device information and sending the updated information to the module to update the module with the updated information for advantages of updating the new SIM card with relevant data.

Regarding claim 2, Ahvenainen in combination of Cardiana discloses the method of claim 1 above, wherein the application is situated in the module for subscriber information and is executed by a signal from the operation system of the module for subscriber system when the mobile terminal is switched on (col. 5, lines 59-65, e.g., When a terminal equipment comprising a subscriber identification module, such as the SIM card, is switched on, or correspondingly, if a subscriber identification module is placed in the terminal equipment, it is checked whether the

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identity of the subscriber equipment is identical to the subscriber equipment identity stored in the card memory).

Regarding claim 3, Ahvenainen in combination of Cardiana discloses the method of claim 1 above, wherein when detecting equipment information, the application reads the previously stored device information from a memory space in the mobile station from the module with subscriber information (Ahvenainen: col. 7, lines 55-61; col. 10, lines 35-40) and the application requests the detected device information from the terminal of the mobile station, the detected information being compared to the previously stored device information station (Ahvenainen: Fig. 1, reference 102; col. 4, lines 3-10, 25-31; col. 5, lines 6-10; col. 8, lines 1-6; col. 10, lines 3-12).

Regarding claim 5, Ahvenainen in combination of Cardiana discloses the method of claim 1 above, wherein when the network is based on Global System for Mobile Communication (GSM) or Universal Mobile Telecommunications Service (UMTS) (Ahvenainen: col. 2, line 9, e.g., GSM), the module with subscriber information is a Subscriber Identity Module (SIM) or an Universal Subscriber Identity Module (USIM), respectively (Ahvenainen: col. 2, line 7, e.g., SIM).

Regarding claim 8, Ahvenainen in combination of Cardiana discloses the method of claim 5 above, wherein the repository stores lists of pairs of International Mobile Equipment (IMEI) numbers and either or both of International Mobile Subscriber Identity (IMSI) numbers and Mobile Station Integrated Service Digital Network (MSISDN) numbers (Ahvenainen: col. 5, line 58; col. 6, lines 20, e.g., IMEI and MSISDN).

Claim 15 is rejected with the reasons set forth to claim 5.

Regarding claim 16, Ahvenainen in combination of Cardiana discloses the mobile telecommunication network of claim 14 above, wherein the application for detecting device information consists of a device switch application in the Subscriber Identity Module (SIM) of the mobile station (Ahvenainen: col. 5, lines 10-24, e.g., checking the access right of the subscriber equipment from the network infrastructure, if the subscriber identification module does not contain the identity of the subscriber equipment, and as a result of the checking of the access right of the subscriber equipment, storing the identity of the subscriber equipment in the subscriber identification module and continuing registration of the mobile equipment onto the network infrastructure).

Regarding claim 20, Ahvenainen in combination of Cardiana discloses the mobile telecommunication network of claim 16 above, wherein the device switch application in the Subscriber Identity Module (SIM) of the mobile terminal is a SIM Switch Application (Ahvenainen: col. 5, lines 10-24).

Regarding claim 22, Ahvenainen in combination of Cardiana discloses the mobile telecommunication network of claim 20 above, wherein the Subscriber Identity Module (SIM) contains a variable indicating whether the new IMSI/MSISDN/ICCID information has been stored in the repository (Ahvenainen: col. 5, line 58; col. 6, lines 20).

5. Claims 4, 10, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahvenainen in combination with Cardina in view of Zhao (US 2004/0192251; Cited in PTO-892 Part of Paper No. 20090601).

Regarding claim 4, Ahvenainen in combination of Cardiana discloses the method of claim 1 above, wherein when detecting equipment information, the detected device information is compared to the device information previously stored in the mobile station (Ahvenainen: Fig. 1, reference 102; col. 4, lines 3-10, 25-31; col. 5, lines 6-10; col. 8, lines 1-6; col. 10, lines 3-12).

Ahvenainen in combination with Cardiana fails to specifically disclose by means of an indicator, which is read by the application from a memory space in the mobile station, the value of the indicator indicating whether a switch of the module with subscriber information has taken place.

However, Zhao discloses an emergency connection indicator, which is read by the application from a memory space (see Fig. 1, reference 144; paragraph [0030], e.g., a memory) in the mobile station (Abstract; paragraphs [0005], [0030], [0037], [0041]), the value of the indicator indicating whether a switch of the module with subscriber information has taken place (paragraphs [0005], [0030], [0037], [0041]).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Zhao as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have the detected device information is compared to the device information previously stored in the mobile station, as taught by Ahvenainen, and cooperating by means of an indicator, the value of the indicator indicating whether a switch of the module with subscriber information has taken place, as suggested by Zhao, for advantages of indicating whether there is a new SIM.

Regarding claim 10, Ahvenainen in combination of Cardiana and Zhao discloses the method of claim 4 above, wherein when detecting subscriber information, a SIM switch is detected and the application is a SIM Switch Application in the Subscriber Identity Module (SIM) of the mobile station (Ahvenainen: col. 5, lines 10-24, e.g., checking the access right of the subscriber equipment from the network infrastructure, if the subscriber identification module does not contain the identity of the subscriber equipment, and as a result of the checking of the access right of the subscriber equipment, storing the identity of the subscriber equipment in the subscriber identification module and continuing registration of the mobile equipment onto the network infrastructure).

Regarding claim 12, Ahvenainen in combination of Cardiana and Zhao discloses the method of claim 10 above, wherein the device information detected by said SIM switch application is an indicator value indicating whether a SIM switch has taken place (Zhao: paragraphs [0005], [0030], [0037], [0041]).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Zhao as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have the device information detected by said SIM switch application is an indicator value indicating whether a SIM switch has taken place for advantages of indicating whether there is a new SIM.

Regarding claim 13, Ahvenainen in combination of Cardiana and Zhao discloses the method of claim 12 above, wherein when according to said indicator value, a SIM switch has taken place, subscriber information, such as new IMSI/MSISDN/ICCID values (Ahvenainen: : col. 5, line 58; col. 6, lines 20, e.g., IMEI and MSISDN), are sent to be stored in said repository

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storing pairs of IMSI/MSISDN/ICCID values and said indicator value is updated to tell about the SIM switch (Ahvenainen: col. 5, line 58; col. 6, lines 20).

6. Claims 6-7, 9, 17-19, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahvenainen in combination with Cardina in view of Pecan (US 2002/0142753); Cited in PTO-892 Part of Paper No. 20090601).

Regarding claim 6, Ahvenainen in combination of Cardiana discloses the method of claim 3 above, wherein when detecting equipment information, a terminal switch is detected (Fig. 1, reference 102; col. 4, lines 3-10, 25-31; col. 5, lines 6-10; col. 8, lines 1-6; col. 10, lines 3-12).

Ahvenainen in combination of Cardiana fails to specifically disclose the application is a Terminal Switch Application (TSD) in the Subscriber Identity Module (SIM) of the mobile station.

However, Pecan discloses the application is a Terminal Switch Application (TSD) in the Subscriber Identity Module (SIM) of the mobile station (Fig. 1, reference 140; paragraphs [0030]-[0031], [0036], [0039], e.g., SIM Detector).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Pecan as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have discloses the application is a Terminal Switch Application (TSD) in the Subscriber Identity Module (SIM) of the mobile station for advantages of performing a boot procedure on the basis of the detected SIM card.

Regarding claim 7, Ahvenainen in combination of Cardiana and Pecan discloses the method of claim 6 above, wherein the device information detected by said terminal switch application consists of an International Mobile Equipment (IMEI) number (Ahvenainen: col. 2, lines 22-23; col. 5, line 58, e.g., IMEI).

Regarding claim 9, Ahvenainen in combination of Cardiana and Pecan discloses the method of claim 7 above, wherein when the IMEI value detected does not correspond to the IMEI previously stored on the SIM card it is updated to the SIM card and sent to be stored in said repository storing pairs of IMEI/IMSI and or MSISDN values (Ahvenainen: Fig. 1, references 107 and 109; Fig. 2, references 207 and 209; col. 8, lines 30; col. 10, lines 34-42).

Claim 17 is rejected with the reasons set forth to claim 6.

Regarding claim 18, Ahvenainen in combination of Cardiana and Pecan discloses the mobile telecommunication network of claim 17 above, wherein the repository stores lists of pairs of International Mobile Equipment (IMEI) numbers and any or both of International Mobile Subscriber Identity (IMSI) numbers and MSISDN values (Ahvenainen: Fig. 1, references 107 and 109; Fig. 2, references 207 and 209; col. 8, lines 30; col. 10, lines 34-42).

Regarding claim 19, Ahvenainen in combination of Cardiana discloses the mobile telecommunication network of claim 14 above, fails to specifically disclose wherein the detector for handling device information is a Terminal Switch Detector (TSD).

However, Pecan discloses t the detector for handling device information is a Terminal Switch Detector (TSD) (Fig. 1, reference 140; paragraphs [0030]-[0031], [0036], [0039], e.g., SIM Detector).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Pecan as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have the detector for handling device information is a Terminal Switch Detector (TSD) for advantages of performing a boot procedure on the basis of the detected SIM card.

Regarding claim 23, Ahvenainen in combination of Cardiana discloses the mobile telecommunication network of claim 20 above, fails to specifically disclose wherein the detector for handling device information is a SIM Switch Detector (SSD).

However, Pecan discloses the detector for handling device 15 information is a SIM Switch Detector (SSD) (Fig. 1, reference 140; paragraphs [0030]-[0031], [0036], [0039], e.g., SIM Detector).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Pecan as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have discloses the detector for handling device 15 information is a SIM Switch Detector (SSD) for advantages of performing a boot procedure on the basis of the detected SIM card.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahvenainen in combination with Cardina in view of Lee et al. (hereinafter "Lee"; US 2007/0271603).

Regarding claim 11, Ahvenainen in combination of Cardiana discloses the method of claim 5 above, wherein the repository stores lists of pairs of International Mobile Subscriber Identity (IMSI) numbers, Mobile Station Integrated Service Digital Network (MSISDN) numbers (Ahvenainen: col. 5, line 58; col. 6, lines 20, e.g., MSISDN).

Ahvenainen in combination with Cardiana fails to specifically disclose Integrated Circuit Card ID (ICCID) numbers.

However, Lee discloses Integrated Circuit Card ID (ICCID) numbers (Abstract; paragraphs [0006]-[0008]).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Lee as a whole, it would have been obvious to one having ordinary skill in the art at the time of the invention by applicant to have Integrated Circuit Card ID (ICCID) numbers for advantages of updating the new SIM card with relevant data.

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ahvenainen in combination with Cardina in view of Lee and Pecan in view of Lee.

Regarding claim 21, Ahvenainen in combination of Cardiana and Pecan discloses the mobile telecommunication network of claim 17 above, wherein the repository stores lists of International Mobile Subscriber Identity (IMSI) numbers (Ahvenainen: col. 2, lines 22-23; col. 5, line 58, e.g., IMEI), Mobile Station Integrated Service Digital Network (MSISDN) numbers (Ahvenainen: col. 5, line 58; col. 6, lines 20, e.g., MSISDN).

Ahvenainen in combination with Cardiana and Pecan fails to specifically disclose Integrated Circuit Card ID (ICCID) numbers.

However, Lee discloses Integrated Circuit Card ID (ICCID) numbers (Abstract; paragraphs [0006]-[0008]).

Therefore, taking the teachings of Ahvenainen in combination with Cardiana and Lee as a whole, it would have been obvious to one having ordinary skill in the art at the time of the

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invention by applicant to have Integrated Circuit Card ID (ICCID) numbers for advantages of updating the new SIM card with relevant data.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TIMOTHY PHAM whose telephone number is (571)270-7115. The examiner can normally be reached on Monday-Friday; 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571-272-7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ Timothy Pham/  
Examiner, Art Unit 2617

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit  
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